

September 23, 2010

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Notice. CC Docket No. 02-6; Universal Service Mechanism for Schools and Libraries

Dear Ms. Dortch:

On September 21, 2010, Robert Bocher, a technology consultant in the Wisconsin Department of Public Instruction, spoke with Mr. James Bachtell in the Wireline Competition Bureau. The discussion focused on the E-rate eligibility of dark fiber—whether the costs for dark fiber should be allowed and if there should be any maximum. Mr. Bocher said that regardless of who provides the dark fiber (e.g. telecommunications carrier, municipality, etc.) that some costs should be allowed and he encouraged the Commission to review its Brooklyn library decision (File No. SLD-149423, released: September 26, 2000) in relation to the funding of one-time capital costs. Mr. Bocher also suggested that if FCC staff could reach no agreement on this issue that it consider it for a future NPRM.

Respectfully submitted,



Robert Bocher
Technology Consultant
Wisconsin Department of Public Instruction